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September 3, 2024

Hon. Paul G. Gardephe
United States District Judge
Southern District of New York
40 Foley Square
New York, N.Y. 10007

Hon. Ann M. Donnelly
United States District Judge
Eastern District of New York
225 Cadman Plaza East
Brooklyn, N.Y. 11201

Re: United States v. Peter Khaimov, SDNY Cr. Docket No.
22-20 (PGG) and United States v. Peter Khaim, EDNY
Docket No. 20-50 (AMD)

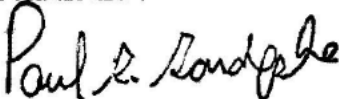
Dear Judges Gardephe and Donnelly:

I represent Mr. Khaimov/Khaim in the above-referenced matters. He was recently sentenced in the Southern District (SDNY) to a term of 15 years' imprisonment and, in the Eastern District (EDNY), one year of the term of imprisonment was ordered to run consecutively to the SDNY term, for a total term of imprisonment of 16 years. He is scheduled to surrender on September 11, 2024. Orders of significant financial penalties were also entered in both courts.

I move to extend his surrender date to October 28, 2024, approximately six weeks hence, for three reasons. 1) Mr. Khaimov's opening brief from his SDNY appeal to the Second Circuit Court of Appeals is due October 8, 2024. At liberty, it will be easier for him to meet with me and to review drafts of the appellate brief as they are forthcoming. In that regard, he has been very involved with the proceedings in both of the local district courts thus far and has expressed interest in active participation in the appeal. 2) Mr. Khaimov is presently under the care of a gastro-enterologist (Samuel Davidoff, M.D., 718-261-0900), and is scheduled for a colonoscopy and an endoscopy on October 16, 2024. While these procedures are perhaps not yet of an emergency level, he is unlikely to receive them under BOP care and earliest detection can be life saving. And 3) the high Jewish holidays occur in October this year with Succos ending on October 25. As such, it is requested that Mr. Khaimov's surrender date be extended to October 28 (the next business day following October 25). Without explanation, prosecutors from SDNY and EDNY objected to this request.

MEMO ENDORSED: The application
is denied.

SO ORDERED.



Paul G. Gardephe
United States District Judge

Respectfully submitted,


James M. Branden

Date: September 4, 2024